



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, March 4, 2024

Date approved: March 18, 2024

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Council Member Hansen-Romero read the Albany Land Acknowledgement Statement as adopted by the City Council per City of Albany Minute Action, November 15, 2021.

2. ROLL CALL

Present: Council Members Hansen-Romero, Jordan and Tiedemann, Vice Mayor López, Mayor Miki

Absent: None

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY

4. CEREMONIAL MATTERS

Mayor Miki announced Items 4-1 and 4-2 have been continued to a future meeting.

4-1. Proclamation – American Red Cross Month

4-2. Proclamation – Women’s History Month & International Women’s Day

4-3. Proclamation – Peace in the Middle East

A summary of public comment is as follows: opposition to the proclamation for peace in place of a ceasefire resolution; support for a ceasefire resolution; the conflict in the Middle East is complex; the proclamation is intended to unify and support the community; support for the proclamation.

5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported ballots for tomorrow’s primary election may be deposited in the drop box outside of the City Hall and the Vote Centers at the Community Center and the Veterans Memorial Building. Polls will be open from 7 AM to 8 PM on March 5, 2024. Ballots placed in the mail must be postmarked on or before March 5, 2024. Information specific to the election can be found online at acvote.org. A community design session for Albany Hill is scheduled for March 14, 2024, during the Parks, Recreation & Open Space (PROS) Commission meeting. Friends of Albany Parks will hold a clean-up day at the corner of Masonic and Portland Avenues on March 23, 2024. The Call for Artists for the Albany Murals Project will close at 4 PM on May 20, 2024. Applications for vacant seats on the Arts Committee and the Planning & Zoning Commission are available on the City website (albanyca.org/advise).



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6. GOOD OF THE CITY/PUBLIC COMMENT

Mayor Miki opened the Good of the City.

A summary of public comment is as follows: a request for public speakers to introduce themselves; a request for the Council to agendize a ceasefire resolution; concern about motorists ignoring stop signs, traffic signals, and crosswalks; a suggestion for the installation of dog waste bins.

Mayor Miki noted Item 11-2 addresses the formation of an ad hoc subcommittee to consider a ceasefire resolution. State law does not allow the City to require a public speaker to state their name or residency so that the public may speak without fear of retaliation.

7. CONSENT CALENDAR

7-1. Minutes – February 20, 2024

Staff Recommendation: Approve

7-2. Ratification of Payroll – Date Paid 2/23/2022: Net Amount \$411,466.58, Taxes/Benefits/Deductions \$442,041.80, Total Payroll \$853,508.38

Staff Recommendation: Ratify

7-3. Ratification of Bills, Claims and Demands – Ratification of bills, claims and demands against the City of Albany in the amount of \$490,169.67 (2/16/2024), \$112,355.63 (2/23/2024)

Staff Recommendation: Ratify

7-4. Advisory Body Resignation:

- Kobe Martinez-Moore appointed by Council Member Tiedemann resigned from the Arts Committee

Staff Recommendation: Information item

7-5. Advisory Body Appointment:

- Kobe Martinez-Moore appointed by Vice Mayor López to the Racial Inclusivity & Social Equity Commission

Staff Recommendation: Information item

7-6. Letter of Support – Assembly Bill (AB) 817

Council Member Jordan Recommendation: That the Council approve submittal of a letter in support of AB 817 Open meetings: teleconferencing: subsidiary body



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Mayor Miki asked if anyone wishes to remove items from the consent calendar. No one removed an item.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to approve the consent calendar.

AYES: Council Members Hansen-Romero, Jordan and Tiedemann, Vice Mayor López, Mayor Miki

NOES: None

Motion carried and so ordered.

8. PRESENTATION

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

10-1. Revenue Measures for Funding Core City Services – Sidewalk Parcel Tax

Staff Recommendation: That the Council receive a presentation regarding the proposed Sidewalk Parcel Tax extension and provide direction regarding the proposed rates and term of the tax

Public Works Program Manager Devora Zauderer presented the staff report. In October 2023, a presentation to the Council included the possibility of expanding the scope of Measure P1, the Sidewalk Parcel Tax, to fund additional infrastructure needs. At this time, projects and cost estimates have not been developed to support an expansion of Measure P1. Measure P1 was approved in 2016, is scheduled to expire on December 31, 2026, and includes an annual escalator and exemptions for low-income taxpayers. Measure P1 has raised \$200,000 - \$225,000 annually, and revenues have funded \$1.17 million in repairs. Renewing Measure P1 would enable staff to fund the Sidewalk Repair Program holistically and independent of other budget decisions as well as ensure the continuation of repairs.

After working with a financial consultant to examine scenarios and models, staff recommends a November 2024 ballot measure to renew Measure P1 for ten years with a 50% increase and a 2% annual escalator. The increase would be effective in Fiscal Year (FY) 2027/28, and revenues would total approximately \$3.7 million over 10 years. If the Council supports renewal, staff will draft the measure text, an ordinance update, and a Sidewalk Policy update for approval in June 2024.

A summary of public comment is as follows: landscaping often impedes access to sidewalks; suggestion to Council to consider adding sidewalk lighting to the program; sidewalk repair and lighting would benefit the City and local businesses; the closure of Golden Gate Fields will affect tax revenues.



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Public Works Director Mark Hurley advised that staff responds to a notice of encroachment into the sidewalk by sending a letter to the property owner.

A summary of Council comment is as follows: plans for street lighting and street tree maintenance have not been developed sufficiently to include them in a 2024 ballot measure; a preference to base the tax on the square footage of property and to authorize expenditure of tax revenues for maintenance of multiuse paths and widening sidewalks in high-priority, strategic areas of the City; if Measure P1 is renewed, it could be amended at a later date to include street lighting and tree maintenance; a suggestion to renew Measure P1 in 2024 for 10 years with a 3% escalator and amend the measure in 2026 to increase tax revenues for street lighting and tree maintenance; concern that voters will not approve a measure in 2024 and an amendment in 2026; a preference to either renew Measure P1 in 2026 or renew Measure P1 as staff proposes in 2024 and propose a separate measure for street lighting and tree maintenance; a preference to implement the increase immediately if approved with a 3% escalator and extend the measure to 2034; basing the tax on square footage would result in a lower increase for taxpayers and a more politically viable measure; the tax could be based on street frontage.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Tiedemann, to direct staff to explore 1) basing the tax on square footage of land; 2) utilizing a 3% annual escalator or the Consumer Price Index (CPI), whichever is less; 3) adding authorization to expend revenues for sidewalk widening and multiuse path maintenance; and 4) implementing the new rates in the first property tax year following passage of the measure.

AYES: Council Members Hansen-Romero, Jordan and Tiedemann, Vice Mayor López, Mayor Miki

NOES: None

Motion carried and so ordered.

11. NEW BUSINESS

11-1. Establishing a Housing Advisory Commission

Staff Recommendation: That the Council:

1. Adopt Resolution No. 2024-13, establishing the Housing Advisory Commission (HAC); and
2. Direct staff to initiate the call for applications for the HAC with all appointments made by the City Council

Planning Manager Leslie Mendez presented the staff report. The 2023-2031 Housing Element's Housing Action Plan contains 56 programs that the City has committed to implementing in the next eight years. The City does not have an Advisory Body focused on reviewing housing policies, programs, and related issues and making recommendations to the City Council. A Housing Advisory Commission (HAC) would be



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dedicated to reviewing housing policy, advising the Council, ensuring the focus is on important housing topics, and addressing community values and needs.

Ideally, composition of the HAC would include rental property owners, rental property tenants, single-family homeowners, and possibly housing providers. A member of the public has suggested, and staff supports the suggestion, that members be geographically diverse. Staff suggests members have an expressed interest and knowledge of housing policies or a willingness to learn, have an ability to actively listen, and be open to deliberation and compromise.

Staff proposes the HAC's purpose be to provide a forum to engage with members of the community across a range of perspectives on housing policies and programs and make recommendations to the City Council regarding implementation of the City's Housing Element. Staff also proposes each Council Member appoint a member for a total of five members who will serve until the next municipal election or two years. The HAC would focus on Housing Element programs related to tenant protections, fair and equitable access to housing, housing programs, rent review, and associated administration and resources. The Planning & Zoning Commission (PZC) would retain the lead on matters of land development. The HAC's term would be co-terminus with program implementation of the 2023-2031 Housing Element with a sunset date of approximately December 2028.

A summary of public comment is as follows: support for including language about tenant and housing provider rights and responsibilities and having seven members with two of them appointed by the Council as a whole; one member should be nominated by the Albany Unified School District (AUSD) Board of Education (Board); support for forming the HAC; support for seven members and the Board nominating one of them.

A summary of Council comment is as follows: a range of perspectives may be difficult to achieve if Council Members individually appoint members; members should be nominated for Council approval, and one nominee should be a housing provider, one a tenant, and one affiliated with schools; one member could be a subject matter expert; support for five members; each Council Member could nominate a member and alternate so that the Council could ensure a range of perspectives or the HAC could have seven members; the Council could form an ad hoc subcommittee to review applications and make recommendations to the Council; support for not requiring Albany residency for a housing provider.

MOTION:

Moved by Council Member Tiedemann, seconded by Mayor Miki, to:

1. Adopt Resolution No. 2024-13, establishing the Housing Advisory Commission with amendments to:
 - a. add a Whereas paragraph regarding tenant rights and responsibilities and housing provider rights and responsibilities,
 - b. change one appointment by each Council Member to appointment by the Council as a whole based upon recommendations from an ad hoc subcommittee, and



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- c. require one Housing Advisory Commission member to be a tenant,
 - d. require one member to be a housing provider with rental housing in Albany but who may or may not be a resident of Albany, and
 - e. require one member to be an Albany resident who is affiliated with a local educational institution; and
2. Direct staff to initiate a call for applications for the Housing Advisory Commission with all appointments made by the City Council as a whole.

AYES: Council Members Hansen-Romero, Jordan and Tiedemann, Vice Mayor López, Mayor Miki

NOES: None

Motion carried and so ordered.

11-2. Establishing an Ad Hoc Subcommittee of the City Council Regarding a Ceasefire Resolution

Mayor Miki Recommendation: That the City Council consider establishing an ad hoc subcommittee of the City Council regarding the possible development of a ceasefire resolution

Mayor Miki reported his belief that the Council as a body should decide whether to discuss a ceasefire resolution and/or draft a resolution. An ad hoc subcommittee of two Council Members could meet with each other and jointly with members of the public.

A summary of public comment is as follows: opposition to forming an ad hoc subcommittee; support for forming an ad hoc subcommittee; the Council should skip the subcommittee and vote on a ceasefire resolution; the Council needs to spend its time addressing local issues; people are intimidating those who wish to speak; passing a ceasefire resolution will not affect the conflict.

A summary of Council comment is as follows: peace is a fundamental desire; the issue is dividing the community; this is an opportunity to meet with community members to learn about and understand the issues and perspectives; the Council needs to address the community's concerns; support for forming an ad hoc subcommittee; a statement by the Council will not be perfect for everyone but can work to achieve the community's values; the subject is not within the Council's purview.

MOTION:

Moved by Council Member Tiedemann, seconded by Vice Mayor López, to form an ad hoc subcommittee composed of Mayor Miki and Council Member Tiedemann regarding the possible development of a ceasefire resolution.

AYES: Council Members Jordan and Tiedemann, Vice Mayor López, Mayor Miki

NOES: None

ABSTAIN: Council Member Hansen-Romero

Motion carried and so ordered.



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Moved by Council Member Jordan, seconded by Vice Mayor López, to adjourn the meeting.

AYES: Council Members Hansen-Romero, Jordan and Tiedemann, Vice Mayor López, Mayor Miki

NOES: None

Motion carried and so ordered.

12. COUNCIL SUBCOMMITTEE REPORTS, COUNCIL MEMBER REPORTS ON APPOINTED REPRESENTATION OF ALBANY, AND OTHER MEETINGS AND EVENTS

City Council Appointed Representation Bodies	Appointee	Alternate
Alameda County Mayors’ Conference	Miki	López
Alameda County Transportation Commission	Jordan	Miki
Alameda County Waste Management Authority	Hansen-Romero	Jordan
Association of Bay Area Government	Tiedemann	Jordan
Ava Community Energy JPA Board	Tiedemann	López
East Bay Sports Field Recreational Authority JPA	Hansen-Romero	Miki
Housing Authority of Alameda County	McQuaid	N/A
League of California Cities (East Bay)	Miki	López
Alameda County Mosquito Abatement District	López	N/A
Alameda County Library Advisory Commission	Jordan	Tiedemann
Rausser College of Natural Resources Dean’s Advisory Committee on the Gill Tract (DAC)	López	N/A
Police & Fire Pension Fund Board	Miki	Tiedemann
Alameda County Paratransit Advisory & Planning Committee (PAPCO)	(vacant)	N/A

12-1. Report for Housing Authority of County of Alameda (HACA)

13. FUTURE AGENDA ITEMS

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

Upcoming City Meetings

1. Racial Inclusivity & Social Equity Commission Meeting, Tuesday, March 5, 7:00 PM, City Hall Council Chambers
2. Financial Advisory Committee Meeting, Wednesday, March 6, 7:00 PM, City Hall Council Chambers
3. Arts Committee Meeting, Monday, March 11, 7:00 PM, City Hall Council Chambers
4. Planning & Zoning Commission Meeting, Wednesday, March 13, 7:00 PM, City Hall Council Chambers
5. Parks, Recreation & Open Space Commission Meeting, Thursday, March 14, 7:00 PM, City Hall Council Chambers
6. City Council Meeting, Monday, March 18, 7:00 PM, City Hall Council Chambers



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15. ADJOURNMENT

10:45 PM There being no further business before the City Council, Mayor Miki adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.



John Miki
Mayor

Attest:



Anne Hsu, City Clerk